

UNITED STATES PROBATION OFFICE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

AMENDED PETITION FOR WARRANT FOR OFFENDER UNDER SUPERVISION

Name of Offender: Jerry F. Johnson

Docket Number: 2:06-CR-66, 2:07-CR-29

Name of Sentencing Judicial Officer: The Honorable R. Leon Jordan
United States District Judge

Date of Original Sentence: August 20, 2007

Original Offense: Count One: Possession of a Firearm as a Convicted Felon, in violation of Title 18 U.S.C. § 922(g)(1)

Count Two: Aiding and Abetting the Distribution of Cocaine Base, in violation of Title 18 U.S.C. § 841(a)(1) & 18 U.S.C. § 2

Class: Count One: C Felony
Count Two: B Felony

Criminal History Category: III

Original Sentence: 57 months on Count One in Case Number 2:06-CR-66; 57 months on Count Two in Case Number 2:07-CR-29, to run concurrently for a net effective sentence of 57 months, followed by three (3) years supervised release on Count One in Case Number 2:06-CR-66, Six (6) years supervised release on Count Two in Case Number 2:07-CR-29, to run concurrently

Retroactive Amendment on October 31, 2008: Under the retroactive amendment to the crack cocaine guidelines, the Court ordered the sentence be reduced to 46 months imprisonment on Count 1 in 2:06-CR-66, 46 months imprisonment on Count 2 in 2:07-CR-29, to run concurrently for a net effective sentence of 46 months.

Modification on March 16, 2011: The defendant is to serve two consecutive weekends in jail, from Friday at 6:00 p.m. to Sunday at 6:00 p.m. The Court recommends to the Bureau of Prisons that the defendant serve these weekends at the Buncombe County Jail, Asheville, North Carolina.

Modification on July 20, 2011: The defendant shall reside at Midway Rehabilitation Center, Knoxville, Tennessee, for a period of six months and abide by the rules of that facility.

Revocation on November 7, 2012: Supervised release revoked; sentenced to three (3) months imprisonment, followed by four (4) years supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: March 31, 2013

Date Supervision Expires: March 30, 2017

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Assistant U.S. Attorney: Helen C.T. Smith

Defense Attorney: Nikki C. Pierce

Revocation Guideline Range: 18-24 months

Statutory Maximum: Count 1: 21 months
Count 2: 33 months

PETITIONING THE COURT

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	General Condition: The defendant shall not commit another federal, state, or local crime.
2	Standard Condition No. 8: The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
3	Standard Condition No. 9: The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

On or about June 22, 2013, Mr. Johnson was cited by the Johnson City Police Department for Adult Contributing to Delinquency of a Child. According to police reports, officers responded to a suspicious activity complaint at 207 East Mountcastle Drive (Motel 6). Upon arrival, the manager stated to police there had been numerous females outside and in Room 232 and the rooms adjoining it, and the tenants were from out of town. Officers made contact and discovered Mr. Johnson, two adult females (Tracy Marziani and Mellisa Roper), and at least three unidentified adult males in the room. Ms. Marziani is reportedly Mr. Johnson's fiancé. Further investigation revealed a juvenile female in the room as well, and another juvenile female was located in an adjoining room.

Written statements submitted by both juveniles indicated Mr. Johnson and Ms. Marziani had picked them up from separate locations in Bristol, Virginia, and transported them to the Motel 6 in Johnson City, Tennessee. Mr. Johnson was driving the vehicle. The juveniles stated Ms. Marziani asked the juveniles if they wanted to make money in Johnson City by being "tricked out," and indicated either she or Mr. Johnson would take a cut of the money earned. The juveniles also disclosed that, while at the motel, they smoked a

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“marijuana blunt” provided by Ms. Roper. When the police arrived, the juveniles were told to hide in separate rooms.

Ms. Marziani was taken into custody, and Mr. Johnson and Ms. Roper were issued misdemeanor citations. The case against Mr. Johnson is pending and scheduled in Washington County General Sessions Court for July 9, 2013, at 9:00 a.m.

Mr. Johnson reported the law enforcement contact on June 24, 2013, stating he was issued a citation by the Washington County Police Department for Contributing to the Delinquency of a Minor.

- 4 General Condition: The defendant shall not commit another federal, state, or local crime.**
- 5 Standard Condition No. 9: The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.**

On or about October 8, 2013, the Grand Jury for the United States District Court for the Eastern District of Tennessee issued an Indictment in case number 2:13-CR-91. The Grand Jury charged that from on or about June 18, 2013, and continuing to on or about June 23, 2014, Mr. Johnson did knowingly conspire and agree with others known and unknown to the Grand Jury, to transport individuals who had not attained the age of 18 in interstate commerce, with intent that such individuals engage in prostitution or in any sexual activity for which any person can be charged with a criminal offense.

The Grand Jury further charged that on or about June 18, 2013, to on or about June 23, 2013, Mr. Johnson, along with other defendants, aided and abetted by one another, knowingly persuaded, induced, and enticed any individual to travel in interstate commerce to engage in prostitution.

The Grand Jury further charged from on or about June 18, 2013, to on or about June 23, 2013, Mr. Johnson, along with other defendants, aided and abetted by one another, knowingly transported any individual in interstate commerce with intent that such individual engage in prostitution.

On June 5, 2014, Mr. Johnson appeared before District Judge R. Leon Jordan, and entered a plea to count one of the Indictment, Conspiring to Transport Minors in Interstate Commerce for Purposes of Prostitution, in violation of Title 18 U.S.C. § 2423(a).

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Assessment of Flight/Danger and Bond Recommendation: On July 24, 2013, the defendant appeared before the Honorable Dennis H. Inman, United States Magistrate Judge, after his arrest on the Initial Petition, and he was ordered detained pending a revocation hearing presently scheduled before Your Honor on January 22, 2015. Therefore, it is recommended the defendant remain in custody pending his revocation hearing.

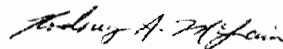
Petitioning the Court to Order:

That the original Violation Petition filed against Mr. Johnson be amended to include Violation Numbers 4-5.

I declare under penalty of perjury that the foregoing is true and correct.

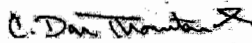
Executed on November 26, 2014.

Respectfully submitted,



Rodney A. McLain
United States Probation Officer

APPROVED:



Dan Thornton
2014.11.26 09:50:29
-05'00'


C. Dan Thornton, Jr. Date
Supervising United States Probation Officer

ORDER OF COURT:

That the original Violation Petition filed against Mr. Johnson be amended to include violation numbers 4-5.

So ordered.

ENTER.



The Honorable R. Leon Jordan
United States District Judge

12-1-14
Date